

BEFORE THE
FEDERAL ELECTION COMMISSION

American Democracy Legal Fund
455 Massachusetts Avenue, NW
Washington, DC 20001

OFFICE OF GENERAL
COUNSEL

SENSITIVE

Complainant,

v.

Beat Reid PAC and Steve Rebillot, Treasurer
2657 Windmill Parkway, Suite 515
Henderson, NV 89074

Respondents.

COMPLAINT

Complainant files this complaint under 52 U.S.C. § 30109(a)(1) against Beat Reid PAC, and Steve Rebillot, its treasurer, in his official capacity (collectively "Respondents") for violating the Federal Election Campaign Act ("the Act"), as described below.

Respondents formed an unauthorized independent expenditure-only committee (commonly referred to as a "Super PAC") entitled "Beat Reid PAC." Its name includes the name of Senator Harry Reid, the senior senator from Nevada and Senate Majority Leader, and a federal candidate with a Statement of Candidacy on file with the Commission. Respondents include Senator Reid's name in their committee name in violation of 52 U.S.C. § 30102(e)(4).

A. FACTS

On October 2, 2014, Respondents filed a Statement of Organization for an independent expenditure-only unauthorized committee entitled "Beat Reid PAC." Respondents' Facebook page states that the Beat Reid PAC is comprised of "[g]rassroots conservatives determined to

defeat Harry Reid once and for all."¹ As clearly indicated by content of Respondents' Facebook page, the "Reid" in the name of the committee is the name of Senator Harry Reid, who is currently a candidate for federal office.² Senator Reid filed his Statement of Candidacy declaring that he was running for re-election to the Senate on November 18, 2010.

B. LEGAL ARGUMENT

The Act and Commission regulations prohibit an unauthorized committee from including the name of any candidate in its committee name.³ The restriction would apply to only a first or last name when that "name clearly conveys the identity of the candidate."⁴

Commission regulations carve out an exception for the use of a name of a candidate "in the title of a special project name or other communication if the title clearly and unambiguously shows opposition to the named candidate."⁵ However, that exception does not apply to the committee name itself. As the Commission has explained, that "special project" exception is "[i]n contrast to the committee name restrictions," which has no such exception.⁶

The name of Respondents' committee is the "Beat Reid PAC"; the use of the name "Reid" is, in context, a clear reference to Senator Reid, a federal candidate. Therefore, Respondents' use of Senator Reid's name is a plain violation of 52 U.S.C. § 30102(e)(4) and Commission regulations and precedent.

C. REQUESTED ACTION

As we have shown, Respondents have violated the Act by using Senator Reid's name in the name of their committee. We respectfully request that the Commission investigate this

¹ See "About the Beat Reid PAC", available at https://www.facebook.com/BEATREIDPAC/info?ref=page_internal.

² *Id.*

³ 52 U.S.C. § 30102(e)(4); 11 C.F.R. § 102.14(a).

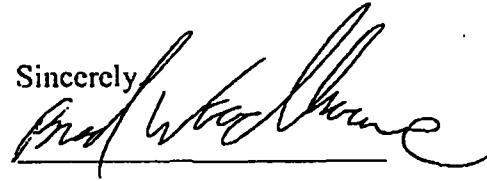
⁴ FEC Adv. Op. 1995-9 (Apr. 21, 1995), citing *Buckley v. Valco*, 424 U.S. 1, 43 n. 51 (1976).

⁵ 11 C.F.R. § 102.14(b)(3).


⁶ FEC Adv. Op. 1995-9.

violation, and that Respondents be enjoined from further violations and be fined the maximum amount permitted by law.

Sincerely



SUBSCRIBED AND SWORN to before me this 22 day of October, 2014


Notary Public Ashley D. Roseborg
My Commission Expires:

February 28, 2019

